

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

-against-

NASSAU COUNTY DEPARTMENT OF PARKS,
RECREATION, and MUSEUMS, and NASSAU
COUNTY,

Defendants.

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ANSWER

CV10-4471

The Defendants, Nassau County Department of Parks, Recreation, and Museums, and Nassau County appearing herein by their attorney JOHN CIAMPOLI, Nassau County Attorney, Barbara Van Riper, Deputy County Attorney, for their Amended Answer to the Complaint herein, sets forth upon information and belief as follows:

1. Defendants neither admit nor deny the allegations contained in paragraph 1 of the Complaint, as this paragraph purports to set forth the jurisdictional basis for plaintiffs' alleged causes of action.
2. Defendants neither admit nor deny the allegations contained in paragraph 2 of the Complaint, as this paragraph purports to set forth the jurisdictional basis for plaintiffs' alleged causes of action.
3. Admit the allegations set forth in paragraph 3 of the complaint.

4. Defendants admit the allegations contained in paragraph 4 of the complaint but deny that the Department of Parks, Recreation and Museums is a political subdivision of the State of New York.
5. Defendants deny the allegations contained in paragraph 5 of the complaint.
6. Defendants admit the allegations set forth in paragraph 6 of the complaint.
7. Defendants admit the allegations contained in paragraph 7 of the complaint.
8. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the complaint.
9. Defendants deny the allegations set forth in paragraph 9 of the complaint.
10. Defendants deny the allegations contained in paragraph 10 of the complaint.
11. Defendants deny the allegations contained in paragraph 11 of the complaint.

FIRST AFFIRMATIVE DEFENSE

12. Plaintiff has failed to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

13. Any employment actions taken by the Defendants were for legitimate, independent and non-discriminatory reasons.

THIRD AFFIRMATIVE DEFENSE

14. Plaintiff is not entitled damages, interest, attorney's fees or any other costs, disbursements and expenses of this action.

WHEREFORE, it is respectfully requested that the Amended Complaint be dismissed in its entirety with prejudice, and the Court grant such other and further relief it deems just and proper with costs and disbursements.

Dated: Mineola, New York
November 10, 2010

JOHN CIAMPOLI
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